

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

FirstEnergy Solutions Corp. :

Application for Certificate of :
Service Authority under Section :
16-115 of the Public Utilities Act :

Docket No.

08-0522

CHIEF CLERK'S OFFICE

2008 SEP - 5 A 10:38

ILLINOIS
COMMERCE COMMISSION

APPLICATION

FirstEnergy Solutions Corp. ("FES" or "FirstEnergy Solutions"), hereby requests that the Illinois Commerce Commission ("Commission") grant it a certificate of service authority pursuant to Section 16-115 of the Public Utilities Act ("Act"). In support of its application, FirstEnergy Solutions states as follows:

General

1. FirstEnergy Solutions' Name and Street Address:

FirstEnergy Solutions Corp.
395 Ghent Road #408
Akron, Ohio 44333
Attn: Cynthia Miszuk

2. Related Information:

- FirstEnergy Solutions is a corporation organized and existing under the laws of Ohio to conduct business.
- FirstEnergy Solutions does not conduct business under any other or assumed names.
- FirstEnergy Solutions' Federal Employer Identification Number is 34-1843785.

- Registered Agent in the state of Illinois for FirstEnergy Solutions Corp.
 - CT Corporation Systems
208 South LaSalle Suite #814
Chicago, IL 60604
Phone: 312-263-1414

3. Contact Persons

- a) For issues related to processing this application, please contact:

Cynthia Miszuk
FirstEnergy Solutions Corp.
395 Ghent Road #408
Akron, Ohio 44333
Phone: 330-315-6897
Fax: 330-315-6856
E-mail: cjmiszuk@fes.com

- b) For issues related to retail customers, including complaint resolution, please contact:

Cynthia Miszuk
FirstEnergy Solutions Corp.
395 Ghent Road #408
Akron, Ohio 44333
Phone: 330-315-6897
Fax: 330-315-6856
E-mail: cjmiszuk@fes.com

- c) For technical issues, including scheduling of generation, transmission and distribution, and issues arising from relationships with other providers of electric services, please contact:

Robert Rose
FirstEnergy Solutions Corp.
395 Ghent Road #408
Akron, Ohio 44333
Phone: 330-315-7319
Fax: 330-315-7464
E-mail: rarose@firstenergycorp.com

4. Illinois Business Registration

FirstEnergy Solutions is licensed to do business in Illinois, as demonstrated in Attachment A.

5. Qualifications to Install, Operate, and Maintain Generation, Transmission, or Distribution Facilities in Illinois

FirstEnergy Solution's employees will not be installing, operating and maintaining generation, transmission, or distribution facilities within the state of Illinois.

6. Description of FirstEnergy Solutions Business

FirstEnergy Solutions Corp. offers a wide range of energy-related products and services, including the sale of electric generation and energy planning and procurement related products and services. FirstEnergy Solutions is licensed to provide competitive retail electric generation services to commercial and industrial customers in Michigan, Ohio, Pennsylvania, Maryland, New Jersey and Illinois and serves residential customers in Ohio and Pennsylvania. FirstEnergy Solutions currently supplies electricity to nearly 300,000 accounts. Its' energy consulting division, The E Group, manages the energy and procurement needs for more than 164,000 accounts. More information on FirstEnergy Solutions can be found on our web site at www.fes.com.

7. Geographic Area of Service

FirstEnergy Solutions was granted certification on April 9, 2008 to provide electric generation services in the Ameren CIPS, Ameren IP and Ameren CILCO service territories. FirstEnergy Solutions seeks certification to provide electric generation services to retail customers in the Commonwealth Edison service territory.

8. Customers

FirstEnergy Solutions seeks certification under Subpart D of Section 451, serving all retail customers.

9. Proof of Intent to Serve

FirstEnergy Solutions has served notice upon Commonwealth Edison indicating FirstEnergy Solutions' intent to serve retail customers within its service territory in the state of Illinois, in compliance with Section 451.30(c)(3). A copy of said notice is included in Attachment B.

10. Certifications

FirstEnergy Solutions certifies that it will comply to the following items, as required by Section 16-115(d) of the Act:

- a) will comply with all applicable Federal, State, regional and industry rules, practices, policies, procedures and tariffs for the use, operation, maintenance, safety, integrity, and reliability of the interconnected electric transmission system including the Open Access Same-time Information System (OASIS) mandated by 18 CFR 37 and the rules and operating guidelines and procedures of the regional or national electric reliability council(s) or organization(s) and their successors for any portion of the state in which the FirstEnergy Solutions is certified to provide retail electric service); [451.20(a)]
- b) will provide service only to retail customers that are eligible to take delivery services; [451.20(b)]
- c) will comply with informational and reporting requirements that the Commission may by rule establish; [451.20(c)]
- d) will comply with informational and reporting requirements that the Commission may establish regarding the provision of information required by Section 16-112 of the Act; [451.20(d)]
- e) complies with all other applicable laws and regulations and Commission rules and orders; [451.20(g)]
- f) complies with all terms and conditions required by Sections 16-115A(a), (b) and (f), 16-119, 16-123, 16-125(b) and (c), 16-127, and 16-128(a) of the Act, to the extent those Sections have application to the services being offered by the alternative retail electric supplier [451.30(d)(2)] and.
- g) for Subpart C and D applicants, complies with all terms and conditions required by Section 16-115A(c) of the Act. [451.210 and 451.310(a)]

11. Scheduling

FirstEnergy Solutions agrees to submit good faith schedules of transmission and energy in accordance with applicable tariffs.

12. Customer Records and Information

FirstEnergy Solutions agrees to adopt and follow rules and procedures ensuring that authorizations received from customers, customer billing

records, and requests for delivery service transmitted to utilities and retained for a period of not less than two calendar years after the calendar year in which they were created.

13. Confidentiality of Customer Information

FirstEnergy Solutions agrees to adopt and follow rules and procedures to preserve the confidentiality of customer data.

14. Consolidation of Previous Certificates of Authority

FirstEnergy Solutions currently has authority from the Commission to be an Alternative Retail Electric Supplier (ARES) in the Ameren IP, Ameren CIPS and Ameren CILCO service territories.

Reciprocity Requirements

15. Affiliates

FirstEnergy Solutions is the unregulated subsidiary of **FirstEnergy Corp.**, a diversified energy company headquartered in Akron, Ohio. FirstEnergy Corp.'s **seven electric utility companies** comprise the nation's fifth-largest investor-owned electric system serving 4.5 million customers within 36,100 square miles of Ohio, Pennsylvania and New Jersey; and its generation subsidiaries control more than 14,000 megawatts of capacity. FirstEnergy Solutions owns, through its subsidiary **FirstEnergy Generation Corp.**, FirstEnergy's fossil and hydroelectric generating facilities and owns, through its subsidiary **FirstEnergy Nuclear Generation Corp.**, FirstEnergy's nuclear generating facilities. FirstEnergy Solutions purchases the entire generation output of the facilities owned by FirstEnergy Generation Corp. and FirstEnergy Nuclear Generation Corp., as well as output relating to various leasehold interests of various operating companies. FirstEnergy Solutions has a division called **The E Group**, which provides utility and energy management consulting to commercial and industrial clients. The E Group manages more than 164,000 accounts and has a total energy portfolio exceeding \$1.2 billion.

- **FirstEnergy Corp.**
76 South Main Street
Akron, Ohio 44308
www.firstenergycorp.com.

FirstEnergy Corp. is a publicly traded holding company listed on the New York Stock Exchange under the symbol FE.

- **FirstEnergy Generation Corp.**
76 South Main Street
Akron, Ohio 44308

A wholly-owned subsidiary of FirstEnergy Solutions Corp. that owns or operates fossil plants and the Seneca pumped storage plant and sells all output at wholesale rates/prices to FirstEnergy Solutions.

- **FirstEnergy Nuclear Generation Corp.**
76 South Main Street
Akron, Ohio 44308

A wholly-owned subsidiary of FirstEnergy Solutions Corp. that owns nuclear plants.

- **The E Group**
395 Ghent Road
Akron, Ohio 44333
www.egroup.fes.com

The E Group, a division of FirstEnergy Solutions Corp., is a strategic resource to its clients, providing intellectual assets in today's complicated energy markets.

The affiliated relationships with the **seven electric utility companies** listed below arise out of FirstEnergy Solution's relationship with FirstEnergy Corp. and the corporate structure of FirstEnergy Corp. FirstEnergy Solutions has no ownership interest in or control of any of the following affiliated companies:

- **Ohio Edison Company**
76 South Main Street
Akron, Ohio 44308

Ohio Edison Company provides electric service to more than one million customers within 7,500 square miles of central and northeastern Ohio.

- **The Toledo Edison Company**
76 South Main Street
Akron, Ohio 44308

The Toledo Edison Company provides electric service to more than 300,000 customers within 2,300 square miles of northwestern Ohio.

- **The Cleveland Electric Illuminating Company**
76 South Main Street
Akron, Ohio 44308

The Cleveland Electric Illuminating Company provides electric service to more than 750,000 customers within 1,600 square miles of northeastern Ohio.

- **Pennsylvania Power Company**
76 South Main Street
Akron, Ohio 44308

Pennsylvania Power Company provides electric service to nearly 160,000 customers within 1,100 square miles of western Pennsylvania.

- **Metropolitan Edison Company**
76 South Main Street
Akron, Ohio 44308

Metropolitan Edison Company provides electric service to more than 540,000 customers within 3,300 square miles of southern and southeastern Pennsylvania.

- **Pennsylvania Electric Company**
76 South Main Street
Akron, Ohio 44308

Pennsylvania Electric Company provides electric service to more than 580,000 customers within 17,600 square miles of northern and central Pennsylvania.

- **Jersey Central Power & Light Company**
76 South Main Street
Akron, Ohio 44308

Jersey Central Power & Light Company provides electric service to more than one million customers within 3,200 square miles of northern and central New Jersey.

16. As established by Section 16-115 (d)(5) of the Act, FirstEnergy Solutions does not own or control any facilities for the transmission or distribution of electricity. However, seven of FirstEnergy Solutions corporate affiliates, The Ohio Edison Company, The Toledo Edison Company, The Cleveland Electric Illuminating Company, Pennsylvania Power Company, Metropolitan Edison Company, Pennsylvania Electric Company, Jersey Central Power & Light

Company, own transmission and distribution facilities within their service territories in Ohio, Pennsylvania and New Jersey. All seven operating companies are members of either the Pennsylvania-New Jersey-Maryland Interconnection ("PJM") or Midwest Independent System Operator ("MISO"), both FERC-approved independent system operators. Through its tariff on file with the Federal Energy Regulatory Commission (available at www.pjm.com), PJM provides open-access, non-discriminatory transmission service to all members and market participant and operates North America's largest competitive wholesale power market. MISO is a fully integrated regional transmission organization, which assures industry consumers of unbiased regional grid management and open access to the transmission facilities under Midwest ISO's functional supervision. Additionally, the jurisdictions where FirstEnergy Solutions affiliates have facilities have open access legislation that meets the requirements of Section 16-115(d)(5).

License or Permit Bond

17. FirstEnergy Solutions has executed and maintains a permit bond in the name of the People of the State of Illinois issued by a qualifying surety or insurance company authorized to transact business in the State of Illinois (Travelers Casual and Surety Company of America). The amount of the bond equals the amount specified by the Commission in accordance with Part 451.50(a), for the appropriate group of customers FirstEnergy Solutions seeks certification – Subpart D of Section 451. FirstEnergy Solutions purchased the bond and it is in the amount of \$300,000. The bond is included in Attachment C.

Financial Qualifications

18. FirstEnergy Solutions meets the financial criteria set forth in 83 Ill. Adm. Code 451.50 and 451.320.
 - a) As required by 83 Ill. Adm. Code 451.50(a), FirstEnergy Solutions has executed a permit bond in the amount of \$300,000 in favor of the People of the State of Illinois. FirstEnergy Solutions submits this bond in Attachment C. The cost of this bond was paid by FirstEnergy Solutions.
 - b) As required by 83 Ill. Adm. Code 451.320 (a)(1), FirstEnergy Solutions maintains at least one of the following long term credit ratings: BBB- or higher from Standard & Poor's or its successor, Baa3 or higher from Moody's Investors Service or its successor. The FirstEnergy Solutions shall provide with its application a copy of the ratings agency reports that present the ratings of the FirstEnergy Solutions. FirstEnergy Solutions submits this copy in Attachment C.
19. FirstEnergy Solutions will not provide electric power and energy with property, plant and equipment that it owns, controls or operates.

20. Technical Qualifications

- a) FirstEnergy Solutions uses electric generation, transmission or distributions that it owns, controls or operates serving customers in its' service territories in Pennsylvania, New Jersey, Ohio, Michigan, Maryland, New Jersey and Illinois.
- b) FirstEnergy Solutions meets the requirements of Section 451.330(b), as demonstrated in Attachment D, showing the resumes of key management and technical personnel.
 - **Robert Rose** is Manager, Short Term Portfolio Balancing, for FirstEnergy Solutions and has fifteen years electric system operational experience, ten years experience with OASIS reservation processes, 10 years experience with NERC tagging processes, and 15 years experience working with rules and practices established by NERC and MAIN and/or MAPP. Robert's biography can be found in Attachment D.
 - **David Sensius** is Acting Director, Asset Utilization, for FirstEnergy Solutions and has nineteen years electric system operational experience, nine years experience with OASIS reservation processes, nine years experience with NERC tagging processes, and ten years experience working with rules and practices established by NERC and MAIN and/or MAPP. Mr. Sensius has 10 years experience in System Control Center Operations, 3 years experience as Real Time Energy Trader for FirstEnergy Solutions, and 4 years experience managing portfolio operations for FirstEnergy Solutions. David's biography can be found in Attachment D.
- c) FirstEnergy Solutions will provide a scheduling facility with 24 hour manned operation for coordination with control centers of scheduling changes, reserve implementation, curtailment orders, and interruption plan implementation.
- d) FirstEnergy Solutions will have the following address, telephone number, and fax number where its staff can be reached directly at all times and agrees to maintain such numbers.

FirstEnergy Solutions Corp.
395 Ghent Road
2nd Floor
Akron, Ohio 44333
Telephone: 330-252-1450
Fax: 330-252-1492
Contact Person: Eric Bryant

Managerial Qualifications

21. FirstEnergy Solutions meets the managerial qualifications set forth in 83 Ill. Adm. Code 451.340, as demonstrated below and fully detailed in Attachment D. Attachment D includes a chart containing a corporate organizational chart and identifying the persons who are being used to meet the requirements of 83 Ill. Adm. Code 451.340.
- a) **Arthur W. Yuan** is Vice President of Sales & Marketing for FirstEnergy Solutions and has nineteen years demonstrated experience in a management position with enterprise financial and administration responsibilities, including profit and loss responsibilities, and four years electric sales experience. Arthur's biography can be found in Attachment D.
 - b) **Paul B. Super** is Director of Retail Marketing for FirstEnergy Solutions and has four years demonstrated experience in a management position with enterprise financial and administration responsibilities, including profit and loss responsibilities, and eight years electric sales experience. Paul's biography can be found in Attachment D.
 - c) **Jerry Belitt** is Director of Energy Sales for FirstEnergy Solutions and has twelve years demonstrated experience in a management position with enterprise financial and administration responsibilities, including profit and loss responsibilities, and nine years electric sales experience. Jerry's biography can be found in Attachment D.
 - d) **Robert Rose** is Manager, Short Term Portfolio Balancing, for FirstEnergy Solutions and has fifteen years electric system operational experience. Robert's biography can be found in Attachment D.
22. FirstEnergy Solutions is not relying on one or more agents or contractors to meet the technical and managerial requirements of Part 451.330 and 451.340.

Single Billing Service

23. FirstEnergy Solutions does not intend to provide single billing services.

General Provisions for Applicants Filing Under Subpart D [451.310]

24. FirstEnergy Solutions certifies that its marketing materials which make statements concerning prices, terms and conditions of service contain information that adequately discloses the prices, terms and conditions of the products or services that the Applicant is offering or selling to the customer [451.310(c)(1)]

25. FirstEnergy Solutions certifies that before any customer is switched from another supplier, Applicant will give the customer written information that adequately discloses, in plain language, the prices, terms and conditions of the products and services before being offered and sold to the customer. [451.310(c)(2)]
26. FirstEnergy Solutions certifies it will provide documentation to the Commission and to customers that substantiates any claims made by the Applicant regarding the technologies and fuel types used to generate the electricity offered or sold to customers. [451.310(c)(3)]
27. FirstEnergy Solutions certifies it will provide to the customer itemized billing statements that describe the products and services provided to the customer and their prices; and an additional statement, at least annually, that adequately discloses the average monthly prices, and the terms and conditions, of the products and services sold to the customer. [451.310(c)(4)]
28. FirstEnergy Solutions certifies it will include materials comprising the consumer education program (pursuant to Section 16-117 of the Act [220 ILCS 5/16-117]) with all initial mailings to potential residential and small commercial retail customers and before executing any agreements or contracts with such customers, and that Applicant will provide these materials at no charge to residential and small commercial retail customers upon request. [451.310(d) [451.310(e)]
29. Applicant certifies it will provide to residential and small commercial retail customers on a semiannual basis information on how to obtain a list of alternative retail electric suppliers that have been found in the last 3 years by the Commission (pursuant to Section 10-108 of the Act [220 ILCS 5/10-108]) to have failed to provide service in accordance with the terms of their contracts (pursuant to Section 16-117(g)(4)(C) of the Act. [451.310(f)]

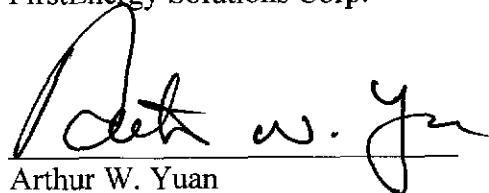
Notification to State Newspaper

FirstEnergy Solutions will publish notice of its application for certification in the Official State newspaper within 10 days of its filing. FirstEnergy Solutions will comply with this requirement and will provide the Commission with evidence of the published notice within 10 days.

WHEREFORE, FirstEnergy Solutions requests that the Commission grant its application for service authority to serve all retail customers in the Commonwealth Edison service territory in the State of Illinois.

Respectfully submitted,

FirstEnergy Solutions Corp.

A handwritten signature in black ink, appearing to read "Arthur W. Yuan", written over a horizontal line.

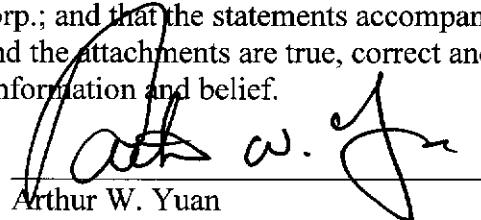
Arthur W. Yuan
Vice President, Sales & Marketing

Michael Wolfe
Esquire
FirstEnergy Service Company
2800 Pottsville Pike
Reading, PA 19612-6001
610-921-6202

VERIFICATION

STATE OF Ohio)
COUNTY OF Summit) ss:

Arthur W. Yuan, being first duly sworn, deposes and says that he is the Vice President of FirstEnergy Solutions Corp.; that he has read the foregoing Application of FirstEnergy Solutions Corp.; and that the statements accompanying and referred to within the Application and the attachments are true, correct and complete to the best of his knowledge, information and belief.



Arthur W. Yuan
Vice President, Sales & Marketing

Subscribed and sworn to before me
This 3rd day of September, 2008.

Carol A. Seaman
Notary Public

CAROL A. SEAMAN, Notary Public
STATE OF OHIO
Resident Summit County
My Commission Expires August 9, 2010